

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

In the Matter of:
Parlin Post Office
Colorado 81239

Docket No: A2012-102

NOTICE OF INTERVENTION BY THE BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO

The Board of County Commissioners of the County of Gunnison, Colorado (hereinafter "County Commissioners") files this Notice of Intervention pursuant to 39 C.F.R. §3001.111(b), by and through David Baumgarten, the Gunnison County Attorney.

I. Intent Of The County Commissioners.

The County Commissioners are the elected government body of general jurisdiction in Gunnison County with state constitutional and statutory authority to protect and promote the health, welfare and safety of the people of Gunnison County.

II. Grounds Upon Which Intervention Is Sought.

Gunnison County cherishes its sense of community and place. The County Commissioners strive to preserve and promote the well-being of the County's citizens, natural environment and rural character. Gunnison County delivers services and sets standards that reflect our values and preserve our unique quality of life for present and future generations to enjoy.

The County Commissioners urge the Postal Regulatory Commission that the Postal Service's determination to close the Parlin, Colorado 81239 Rural Post Office:

1. Failed to consider accurately the effect of such closing on the community served by the post office (see: 39 U.S.C. 404 (d)(2)(A)(i);
2. Failed to consider accurately whether or not – post closure – the Postal Service will continue to provide the "maximum degree of effective and regular

postal services to rural areas, communities and small towns where post offices are not self-sustaining” (see: 39 U.S.C. 404 (d)(2)(A)(iii);

3. Places undue weight on the economic savings to the Postal Service resulting from such closure (see: 39 U.S.C. 404 (d)(2)(A)(iv); and
4. Is not supported by substantial evidence on the record in support of the determination (see: 39 U.S.C. 404 (d)(5)(c)).
5. Is based on erroneous statements by the Postal Service in the record, and appears to be capricious and without observance of procedure required by law (see: 39 U.S.C. 404(d)(5)(A) and (B)).

Perhaps most important is that the record does not support the standard identified in 39 U.S.C. 404(d)(1) that the Postal Service determine the “necessity” for the closing of the Parlin Post Office; that is, while closing that Post Office may obtain a minimal measure of cost-savings when those minimal cost savings are compared with the other considerations mandated by 39 U.S.C. 404(d)(1), the “necessity” to close that Post Office has not been established.

III. Brief Synopsis Of Reasons Gunnison County Seeks Intervention; The Administrative Record Does Not Support The Postal Service’s Rationale To Close The Parlin Post Office.

A. Introduction.

The Postal Service initiated the possible closure of the Parlin Post Office in correspondence dated 12/9/10 from Walter McBain, Manager, Post Office Operations to Selwyn Epperson, District Manager. (Docket document #1). This “request for authorization to investigate a possible change in postal services” poses three rationales:

1. Declining workload;
2. Proximity to other post offices; and
3. Alternate services could be provided by other means.

The Administrative Record does not support any of those rationales.

B. Declining Workload.

The “Record of Incoming Mail” (administrative Record Document #11) identifies:

1. A daily average of 89.4 first class letters;
2. A daily average of 51.3 first class flats;

3. A daily average of 1.1 priority parcels; and
4. A daily average of 2.4 standard parcels.

This “record” was compiled over a period of 3/12/11 to 3/25/11. There is no document in the Administrative Record identifying that this average is declining. The “Record of Dispatched Mail” (Administrative Record Document #12) identifies:

1. A daily average of 23.4 first class letters;
2. A daily average of 0.4 first class flats;
3. A daily average of 1.2 priority parcels; and
4. A daily average of 0.6 standard parcels.

There is no document in the Administrative Record identifying that this average is declining. Indeed, the “Community Fact Sheet” (Administrative Record Document #16) demonstrates that population growth of 2.38% is anticipated in the community served by the Parlin Post Office.

Documents in the Administrative Record indicate that the number of customers served by the Parlin Post Office are almost double the number used by the Postal Service. See: Letter dated December 23, 2011 from Judith Ebaugh, citing 119 customers – not the 61 cited by the Postal Service.

C. Proximity To Other Post Offices.

The “Post Office Closing Or Consolidation Fact Sheet, Form 4920” (Administrative Record Document #18) identifies the nearest post office to be in the City of Gunnison – 11.7 miles from Parlin. This is a significant distance – particularly when viewed as a round trip of almost 23 miles to access a Post Office. Note: The vast majority of the “Returned Customer Questionnaires” indicate that customers of the Parlin Post Office do not pass other post offices during business hours while traveling to or from work, or shopping, or for personal needs. Only one questionnaire indicates that the customer does regularly pass other post offices.

Not one “Returned Customer Questionnaire” (Administrative Record Document #22) expresses agreement with or satisfaction with the proposed closing. To the contrary, all the Questionnaires are unanimous in objecting to the proposed closing.

D. Alternate Services Could Be Provided By Other Means.

The “Postal Service Customer Questionnaire Analysis” (Administrative Record Document #23) is very revealing:

1. Not one questionnaire is favorable to the proposal to close the Post Office;

2. A host of citizen concerns are raised (e.g. irregular hours of rural route services, non-postal services, services to senior citizens, services about loss of community identity, detrimental effect on the business community) but all are met with a uniform and rather impersonal response;
3. The Postal Service “responder” incorrectly references the “closest available post office” to be the “Bairoil Post Office” or the “Rawlins Post Office” (which are hundreds of miles away in Wyoming). This incorrect reference causes one to question the attention paid to the questionnaires. The Postal Service references to the “Bairoil Post Office” and the “Rawlins Post Office” are repeated – after a Postal Service community meeting – not once, but twice – in a document titled “Responsiveness to Community Postal Needs” (Administrative Record Document #33).
4. Customers of the Parlin Post Office provided to Selwyn Epperson with a 3 page “Petition And Postal Service Response Letter” (Administrative Record Document #27) signed by virtually every customer of the Parlin Post Office objecting to the proposed closure.

E. Purported “Savings.”

The estimate by the Postal Service of “economic savings” is incomplete. It reflects only:

1. The elimination of a postmaster salary;
2. The elimination of postmaster fringe benefits;
3. The elimination of an annual lease; and
4. An undocumented and unsupported increase of only \$1,139 per year for cost of “replacement services.”

There is no real analysis of the costs (e.g. time, vehicle, vehicle maintenance, mileage) of pick up, sorting, and delivery to and by a rural delivery person to the estimated 41 non-P.O. Box customers and 20 P.O. Box customers who currently use the Parlin Post Office. There also is no real analysis of the costs to the customers.

F. Loss Of Community.

The Record contains a letter from Larry and Ruth Dolezal, dated December 12, 2011 which states: “The Parlin Post Office was founded in 1880 and the history is unique to early Gunnison history. In winter, the only store located in the community, is closed and the post office is the hub of the community. (There are a number of other businesses located “up” the valley but none in the immediate area.) Parlin P.O. is a transfer point on the mail coming in from Salida Post Office, serving the Quartz Creek Valley a distance of over 16 miles. Travel time for the rural mail carrier would be double what she travels now. She has around 100 drops in summer, which does not count the ones in Parlin, At present she cannot sell stamps etc., and if this plan is implemented,

would have no way to weigh packages. Many of us in the area are elderly and with our snow, cold and icy conditions, the added travel could be treacherous. My husband and I have been shipping packages to our military personnel in the combat zone. Over the past 6-7 years, we have shipped over 700 packages (55 so far this year). Parlin has had the flat rate priority mail boxes we need, has helped when we needed help, and the rural carrier and OIC are to be commended for their professionalism.”

The Record is replete with references to the “loss of community” that the closure of Parlin Post Office will cause. The County Commissioners agree with those comments.

In conclusion, the County Commissioners respectfully request that the Board of County Commissioners of the County of Gunnison, Colorado be granted the status of “intervenor” in this action; and, that the closure of the Parlin Post Office be set aside pursuant to 39 U.S.C. 404(d)(5), and the entire matter be returned for further consideration.

Please forward any brief in support of the Postal Service to:

David Baumgarten
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Respectfully submitted this 30th day of January, 2012.

/s/ original signature on file
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Cc: Board of County Commissioners
Matthew Birnie, County Manager